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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,687	07/07/2003	Letitia K. Lee	SVL920030030US1	7413
7590 04/09/2007 Paul D. Greeley, Esq. Ohlandt, Greeley, Ruggiero & Perle, L.L.P. 10th Floor One Landmark Square Stamford, CT 06901-2682			EXAMINER PITARO, RYAN F	
			ART UNIT 2174	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			04/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/614,687

Applicant(s)

LEE ET AL.

Examiner

Ryan F. Pitaro

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-19 have been examined.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-19 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 101. As such they fail to fall within a statutory category. They are at best functional descriptive material per se.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4,6-11,14-16,18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allegro ("Allegro", three-state) in view of Simon et al ("Simon", US 6,535,756).

As per claim 1, Allegro teaches a system for look and feel on a Unix platform, comprising: a computer system having a graphical user interface (GUI) (lines 1-10, checkbox); a plurality of icons for a component of said GUI that are distinct according to a selection property and an enablement property (Lines 5-10). Allegro does not expressly state overriding default values. However, Simon teaches a software component executable on said computer system to override a plurality of default icons for said component (Column 3 lines 31-41). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Simon with the system of Allegro. Motivation to do so would have been to allow customizable icons so that each user would understand their respective meanings.

As per claim 2, Allegro-Simon teaches the system according to claim 1, wherein said software component runs during initialization (Simon, Column 3 lines 31-41).

As per claim 3, Allegro-Simon teaches the system according to claim 1, wherein said component is a checkbox (Allegro, lines 1-9).

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As per claim 4, Allegro-Simon teaches the system according to claim 3, wherein said checkbox has a selected property and an enabled property and is rendered on said GUI as a square filled with white and a black check inside said square (Allegro, lines 5-9).

As per claim 6, Allegro-Simon teaches the system according to claim 3, wherein said checkbox has a unselected property and an enabled property and is rendered on said GUI as a square filled with white (Allegro, lines 5-9).

As per claim 7, Allegro-Simon teaches the system according to claim 3, wherein said checkbox has an unselected property and a disabled property and is rendered on said GUI as a square filled with gray (Allegro, lines 1-14).

Claim 8 is similar in scope to that of claim 1 and is therefore rejected under similar rationale.

As per claim 9, Allegro-Simon teaches the method according to claim 8, wherein said selection property is an indication of user selection of said component (Allegro, lines 1-14).

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As per claim 10, Allegro-Simon teaches the method according to claim 8, wherein said enablement property is an indication of whether editing of said component is permitted (Allegro, lines 1-14).

Claim 11 is similar in scope to that of claim 3, and is therefore rejected under similar rationale.

Claim 14 is similar in scope to that of claim 1, and is therefore rejected under similar rationale.

Claim 15 is similar in scope to that of claim 3, and is therefore rejected under similar rationale.

Claim 16 is similar in scope to that of claim 4, and is therefore rejected under similar rationale.

Claim 18 is similar in scope to that of claim 6, and is therefore rejected under similar rationale.

Claim 19 is similar in scope to that of claim 7, and is therefore rejected under similar rationale.

Claims 5,12,13,17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allegro ("Allegro", three-state) and Simon et al ("Simon", US 6,535,756) in view of Iizuka ("Iizuka", US 6,029,198).

As per claim 5, Allegro-Simon is silent in teaching a selected and disabled property. However, Iizuka teaches the system according to claim 3, wherein said checkbox has a selected property and a disabled property and is rendered on said GUI as a square filled with gray and a black check inside said square (Figure 10, item 905). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Iizuka with the system of Allegro-Simon. Motivation to do so would have been to provide to the user an indication that a check must be enabled.

As per claim 12, the modified Allegro teaches the method according to claim 8, wherein said checkbox is within a second component (Iizuka, Figure 10).

As per claim 13, the modified Allegro teaches the method according to claim 12, wherein said second component is a table (Figure 10).

Claim 17 is similar in scope to that of claim 5, and is therefore rejected under similar rationale.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F. Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Mondays through Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ryan Pitaro
Art Unit 2174
Patent Examiner

RFP

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